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A/49/288
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29 July 1994

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GENERAL ASSEMBLY
Forty-ninth session
Items 38, 40, 78 and 79 of the
provisional agenda*
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
UNITED NATIONS RELIEF AND WORKS
AGENCY FOR PALESTINE REFUGEES
IN THE NEAR EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-ninth year

Letter dated 29 July 1994 from the Permanent Observer for Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which retains the powers and responsibilities of the provisional Government of Palestine, to bring the following to your attention.

In the light of section B, paragraph 3 of the Washington Declaration of 25 July 1994, which reads, "Israel respects the present special role of the Hashemite Kingdom of Jordan in Muslim holy shrines in Jerusalem. When negotiations on the permanent status will take place, Israel will give high priority to the Jordanian historic role in these shrines. In addition, the two sides have agreed to act together to promote inter-faith relations among the three monotheistic religions.", and also in the light of recent attempts in the Israeli Parliament to adopt a new law which would greatly harm the Palestinian presence and activities in East Jerusalem, it is imperative for us to formally confirm the Palestinian position with regard to Al-Quds al-Sharif.

* A/49/150.

1. Jerusalem remains an integral part of the Palestinian Territory occupied since 1967. Such a position has been repeatedly confirmed by the General Assembly, and by the Security Council in its resolutions such as resolutions 681 (1990) of 20 December 1990, 726 (1992) of 6 January 1992, 799 (1992) of 18 December 1992 and 904 (1994) of 18 March 1994.

2. The international community has never accepted or approved any foreign sovereignty or jurisdiction over East Jerusalem. The Security Council, in its resolutions 252 (1968) of 21 May 1968, 267 (1969) of 3 July 1969, 271 (1969) of 15 September 1969, 298 (1971) of 25 September 1971, 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980, considered, inter alia, Israeli measures and actions which aimed to alter the status of the city as invalid, null and void, and called upon Israeli to rescind all such measures and to refrain from taking any further steps in the future.

3. Jerusalem remains a central issue for the Palestinian people and for the Arab world and Islamic Ummah. Its holy places are of great value for Muslims, Christians and Jews all over the world.

4. In the Declaration of Principles on Interim Self-Government Arrangements (A/48/486-S/26560), signed at Washington on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization, and witnessed by the United States of America and the Russian Federation, the co-sponsors of the peace process, the two parties, in article V, agreed that permanent status negotiations would commence as soon as possible, but not later than the beginning of the third year of the interim period, between the Government of Israel and the Palestinian people's representatives, and that the negotiations would cover remaining issues, including Jerusalem. Accordingly, no party has the right to take any action which would hamper the negotiations or prejudge their outcome.

5. The Israeli Government made a clear commitment that the Palestinian institutions of East Jerusalem were of great importance and would be preserved. Any legislation or action aimed at undermining those institutions or impeding their activities constitutes a clear violation of that commitment and of the letter and spirit of the Declaration of Principles, and would seriously harm the smooth proceeding of the peace process.

The Palestine Liberation Organization, affirming its commitment to the peace process, welcomes the progress made on the Jordanian-Israeli track, including the signing of the Washington Declaration, and expresses its hope that similar progress will soon take place with regard to the Syrian-Israeli track and the Lebanese-Israeli track towards the achievement of a comprehensive peace in the Middle East. At the same time, it affirms the importance of the issue of Jerusalem, calls for the respect of international legitimacy in this regard, and also calls upon Israel to abide by its contractual obligations emanating from the Declaration of Principles with regard to this issue.

I would be grateful if you would arrange to have the text of the present letter distributed as a document of the General Assembly, under items 38, 40, 78 and 79 of the provisional agenda, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

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GENERAL ASSEMBLY
Forty-ninth session
Item 25 of the provisional agenda*
THE SITUATION IN BURUNDI

SECURITY COUNCIL
Forty-ninth year

Letter dated 29 July 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Germany to the United Nations addressed to the Secretary-General

On behalf of the European Union I have the honour to transmit to you herewith the text of a declaration by the European Union on Burundi, issued on 27 July 1994 (see annex).

I should be grateful if you could have the text of the present letter and its annex circulated as a document of the General Assembly, under item 25 of the provisional agenda, and of the Security Council.

(Signed) Gerhard HENZE

* A/49/150.

ANNEX

[Original: English and French]

Statement on Burundi issued on 27 July 1994 on behalf of the European Union by its presidency

The European Union expresses its concern at the fact that the situation in Burundi has not yet stabilized and that, more than three months after the death of President Cyprien Nataryamira, the question of the installation of a new Head of State has not been settled.

The European Union expresses the hope that a new President of the Republic may be invested as soon as possible in a climate of goodwill. This will reassure the population, particularly inside the country, which fervently wishes for peace and security, and initiate the economic recovery the country so urgently requires. It urges those in power in Burundi to redouble their efforts to bring their country quickly out of the crisis affecting it.

The European Union reiterates that it is ready, together with a stable and democratic Burundi faithful to the principles of the rule of law, to pursue fruitful cooperation contributing to the positive development of the country.

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GENERAL ASSEMBLY
Forty-ninth session
Item 71 of the provisional agenda*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-ninth year

Letter dated 1 August 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia of 30 July 1994 of anti-Yugoslav policy of the Republic of Albania (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly under item 71 of the provisional agenda, and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires, a.i.

* A/49/150.

ANNEX

Statement by the Federal Ministry of Foreign Affairs of Yugoslavia issued on 30 July 1994

The Federal Ministry of Foreign Affairs expresses its concern over the continuation of the Albanian policy of territorial expansionism, interference in internal affairs, abetting of separatism and the provocation of border incidents on the Yugoslav-Albanian border.

The latest example of this policy is the message addressed recently by the President of the Republic of Albania, Sali Berisha, to the self-styled president of the "Republic of Kosovo" on the occasion of the session of the Democratic Alliance of Kosovo. President Berisha found yet another opportunity to promote openly the non-existent "Republic of Kosovo" and to call upon Albanian separatists to continue to serve the great Albanian goals, on "Albanian Territories". In this way he voiced once again territorial claims and attacked the constitutional order and territorial integrity of the Federal Republic of Yugoslavia. Aspirations for great Albania were confirmed also in the recent statement by President Berisha at Tirana who, speaking about Albanians outside Albania, said that "7 million Albanians constitute an ethnic and geographical continuity and a compact population on their own soil". This is eloquent proof that the leadership of Albania evidently ignores the generally accepted positions of the international community that the autonomous province of Kosovo and Metohija is an integral part of the Republic of Serbia and the Federal Republic of Yugoslavia. These positions of the Republic of Albania constitute a gross violation of the principles of the Charter of the United Nations, the principles of the Final Act of the Conference on Security and Cooperation in Europe (CSCE) and the Paris Charter.

In order to mask this policy which causes increasing concern in the Balkans and Europe, President Berisha is fabricating accusations against Serbia and Yugoslavia and other Albanian neighbours.

These messages and similar statements of the leading personalities of Albania are the basis of the policy of a systematic provocation of incidents on the Yugoslav-Albanian border, with ever more frequent attempts to infiltrate illegally armed persons and terrorist groups from Albania into Yugoslavia. The Albanian authorities bear the exclusive responsibility also for the latest tragic border incident of 27 July 1994 in the area of the border security post of Liken. On that occasion two armed persons illegally entered Yugoslavia from Albania and, 300 metres deep into the Yugoslav territory, opened fire against a Yugoslav border patrol. In self-defence and acting according to the rules of the border service, the Yugoslav patrol returned fire and in consequence the two terrorists lost their lives. This, as well as many other border incidents, show that Albania does not abide by the international norms concerning respect for inter-State borders, as well as the commitments it undertook at the last meeting of the Main Joint Commission for Border Incidents held at Belgrade in June.

The Federal Ministry of Foreign Affairs expresses its particular concern that the President of the Republic of Albania, Sali Berisha, has promised

continuous assistance to Albanian separatists in their policy of the destabilization of Kosovo and Metohija and their secession from Serbia and Yugoslavia. The Albanian Government bears full responsibility for the consequences of this unacceptable policy which is dangerous for peace.

The Federal Ministry of Foreign Affairs calls upon the Albanian side also on this occasion to desist from inciting Albanian separatist in Kosovo and Metohija. Such policy poses a threat to peace and security in the Balkans and can bring no benefit to the Albanian people either.

The Yugoslav side reiterates its readiness to open a political dialogue with Albania in order to ease the existing tensions in their mutual relations and pave the way for their normalization.

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2 August 1994

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Forty-ninth session
Item 26 of the provisional agenda*

COMPLETE WITHDRAWAL OF FOREIGN MILITARY FORCES FROM THE TERRITORIES OF THE BALTIC STATES

Letter dated 29 July 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Germany to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a declaration by the European Union on Baltic-Russian relations, issued on 29 July 1994 (see annex).

I should be grateful if you could have the text of the present letter and its annex circulated as a document of the General Assembly, under item 26 of the provisional agenda.

(Signed) Gerhard HENZE

* A/49/150.

ANNEX

[Original: English and French]

Declaration on Baltic-Russian relations issued on 29 July 1994 on behalf of the European Union by its Presidency

The European Union welcomes the agreement reached by President Meri and President Yeltsin to the effect that the Russian forces will be withdrawn from Estonia with effect from 31 August 1994 in fulfilment of the obligation expressed in paragraph 15 of the declaration adopted at the summit meeting of the Conference on Security and Cooperation in Europe (CSCE) held at Helsinki on 9 and 10 July 1992.

It also welcomes the adoption of a nationality law by the Latvian Parliament last week. The Union considers this law to be a good basis for progress in the integration of ethnic minorities and the development of inter-community relations in Latvia. The Union welcomes that the law takes account of the recommendations of CSCE and the Council of Europe and of appeals from the Union.

Both are major events in the history of the independent Baltic States. They will help considerably to strengthen the foundations for future-oriented cooperation among the nations of North-Eastern Europe in a spirit of mutual confidence. They are thus also a contribution to security and stability in Europe as a whole. The Union especially appreciates the efforts which the countries concerned have made in the last few days to achieve these results. They mark the attainment of major goals which the International Community has been pursuing intensively for some considerable time. The Union is confident that this latest development, which also represents a valuable contribution to the Union's initiative for a stability pact for Europe, will provide a viable basis for further progress in all areas of Russo-Baltic relations.

The acceding countries Austria, Finland and Sweden associate themselves with this statement.

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Forty-ninth session
Item 103 of the provisional agenda*

HUMAN RIGHTS QUESTIONS

Letter dated 29 July 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Germany to the United Nations addressed to the Secretary-General

On behalf of the European Union, I have the honour to transmit to you herewith the text of a declaration by the European Union on Zaire, issued on 27 July 1994.

I should be grateful if you could have the text of this letter and its annex circulated as a document of the General Assembly, under item 103 of the provisional agenda.

(Signed) Gerhard HENZE

* A/49/150.

ANNEX

[Original: English and French]

Statement on Zaire issued on 27 July on behalf of the European Union by its Presidency

In Zaire, the Government of Prime Minister Kengo Wa Dondo was officially installed by the High Council of the Republic-Transitional Parliament on 11 July 1994. The European Union notes that, under the terms of the agreement negotiated by the entire political class in Zaire, ministerial posts are available to all parties and two ministerial posts are reserved for Mr. Tshisekedi's party.

At the same time, the European Union expresses its hope that the installation of this Government will be followed by specific actions that will permit the genuine democratization of the country and rapidly halt the constant deterioration in the economic and social situation of the Zairian population. In this perspective the European Union considers it essential that measures be taken to improve security markedly, to stop hyperinflation and to draw up an emergency economic reconstruction programme - including especially the independence of the central bank - designed to facilitate the resumption of dialogue with the Bretton Woods institutions. It also asks that the Government commit itself to respect for human rights, freedom of expression and to a timetable for free elections.

The European Union calls upon all political and economic forces in Zaire to cooperate now towards democratic transition and economic stabilization. It urges President Mobutu to respect the autonomy of the transitional government and to invest it with all necessary means for the exercise of its function. The European Union will in the meantime continue its humanitarian assistance for those Zairian population groups who are the victims of the crisis and will examine ways gradually to increase this assistance.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

Letter dated 1 August 1994 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

We refer to the letter dated 22 June 1994 from the Minister for Foreign Affairs of the Islamic Republic of Iran (A/49/188), which contains the strange suggestion that the Mojahedin-e Khalq, as the letter claims, participated in the 1991 suppression of the Iraqi Kurdish and Shiite population.

This suggestion is a massive misrepresentation of the events of that period, since what really happened after the February 1991 cease-fire was that the authorities in Tehran sent thousands of armed Iranians and Iraqi collaborators with the Iranian regime sympathetic to Khomeini to Iraq's southern governorates, where they engaged in wide-scale acts of murder and sabotage that affected all the economic installations that had not been damaged during the hostilities. This is to be regarded as a flagrant violation of the provisions of the United Nations Charter and of the principles of international law and relations of good-neighbourliness. This criminal attempt to destroy Iraq, to spread destruction throughout the country and to gain control over it failed when it was resisted by the Iraqi armed forces and the masses of the Iraqi people. It is strange that the regime in question should implicate the Mojahedin-e Khalq Organization in the matter in its representation of those events.

* A/49/150.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under items 103 (b) and 145 of the provisional agenda.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative